

Zoos - Safety, Health and Welfare Standards for Employers and Persons at Work

Approved Code of Practice
and Guidance Note



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Notice of approval

By virtue of section 16(1) of the Health and Safety at Work etc. Act 1974, after consultation in accordance with Section 16(2) of that Act and with the consent of the Secretary of State for Employment, the Health and Safety Commission has on 23 July 1985 approved the Code of Practice, entitled "Approved Code of Practice for Zoos — Safety Health and Welfare Standards for Employers and Persons at Work". The Code of Practice is approved for the purpose of providing practical guidance with respect to sections 2,3,4 and 7 of the Health and Safety at Work etc. Act 1974.

The Code of Practice comes into effect on 1 October 1985

Signed

CELIA JOHNSON

Secretary to the Health and Safety Commission

25 July 1985

Preface

This Code of Practice and the associated Guidance Note have been drawn up on the basis of joint discussion between representatives of the Confederation of British Industry (CBI), the Trades Union Congress (TUC), the Local Authorities (LAs), the Zoological Associations (now combined in the National Federation of Zoological Gardens of Great Britain and Ireland) and the Health and Safety Executive (HSE).

Words and expressions which are defined in the Health and Safety at Work etc Act 1974* have the same meaning in the Code and Guidance unless the context requires otherwise.

Standards for the safety, health and welfare of visitors to the zoo, public affected by the undertaking, and animal welfare are contained in the Department of Environment Zoo Licensing Act 1981†, Secretary of State's Standards of Modern Zoo Practice.

* Health and Safety at Work etc Act, Chapter 37, HMSO 1974.

† Zoo Licensing Act 1981, Chapter 37, HMSO, ISBN 0 10 543781 6

Approved Code of Practice
Health and Safety at Work etc Act 1974
Zoos Safety Health and Welfare Standards

Introduction

1 This Code of Practice has been approved by the Health and Safety Commission (HSC) with the consent of the Secretary of State under Section 16 of the Health and Safety at Work etc Act 1974 (the HSW Act). It gives practical guidance on the requirements placed by Sections 2,3,4 and 7 of that Act on employers, employees, self-employed and certain other persons (other than those excluded by Section 51 of the HSW Act) who are engaged in any way in the operation of a zoo within Great Britain. It places particular emphasis on the hazards arising from the keeping of animals. Separate written guidance is available where other risks arise, such as those associated with the storage and use of flammable and dangerous substances, and the use of machinery. Other legislation with a bearing on health and safety matters may apply at some zoos and zoo operators should satisfy themselves that they comply with all relevant legislation.

2 The Code is based solely on the Health and Safety at Work etc Act 1974. The content of the Code provides a framework of practical and technical information within which every zoo operator can develop effective arrangements for the safety, health and welfare of his employees and other persons not in his employment working in the zoo. Practical and necessary information is given to ensure that animals are confined and handled so as not to constitute a hazard to persons at work.

Status

3 Although failure to comply with any provision of this Code is not in itself an offence, that failure may be used in criminal proceedings as evidence that a person has failed to discharge his duty under a section of the Health and Safety at Work etc Act 1974, if the provision of the Code relates to that section of the Act. In such a case however, it will be open to that person to satisfy the court that he has complied with his duty in some other way.

4 Reference in this Code of Practice to another document does not imply approval by the Health and Safety Commission of that document except to the extent necessary to give effect to this Code of Practice. However, Tables 1—3 are not approved.

Legislation

5 The HSW Act is the primary legislation concerning health, safety and welfare at zoos. Brief summaries of Sections 2,3,4 and 7 are given below.

6 Section 2(1) imposes a duty on every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.

7 By Section 3(1) every employer is under a duty to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety. A zoo operator therefore has a duty not only to his own employees and other people's employees who are working at his zoo, eg peripatetic workers, but also to members of the public.

8 A duty similar to that under Section 3(1) is imposed by Section 3(2) on a self-employed person in respect of himself and other persons not being his employees, including members of the public, who may be affected by his undertaking.

9 Section 4 will also be relevant to some zoos. This Section imposes duties on persons who have to any extent control of non-domestic premises, or the means of access thereto or egress therefrom, or any plant or substance therein, in relation to those who are not their employees but use the premises as a place of work or as a place where they may use plant or substances provided for their use. So far as is reasonably practicable the premises, means of access and egress, and any plant or substance in or provided for use there, must be safe and without risks to health.

10 Section 7 of the HSW Act requires every employee while at work to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work and to co-operate with his employer and other persons so far as is necessary for them to comply with their responsibilities under the Act.

Interpretation

11 In this Approved Code, unless the context requires otherwise:

(1) "The HSW Act" means the Health and Safety at Work etc Act 1974.

(2) (a) "Work" shall have the meaning as contained in Section 52 of the HSW Act.

(b) "Employee" and "Self-employed" shall have the meaning as contained in Section 53 of the HSW Act.

(3) A "hazardous animal" means an animal in the Schedule, for the time being current, to the Dangerous Wild Animals Act 1976*, and any other animal which is likely to transmit disease or injure seriously for example by reason of its individual disposition, or because of its sexual cycle, maternal instincts, or for any other reason, whether by biting, scratching, butting, compression, injecting venom, or by any other method. New and Old World Primates will be considered as being hazardous animals for the purpose of this Approved Code of Practice whether or not covered by the 1976 Act.

(4) "Enclosure" means the area surrounded by an animal barrier in which an animal is free to move.

(5) "Animal barrier" means a physical barrier to contain an animal within an enclosure. It may consist of one or more of the following according to the circumstances:

A fence A vertical or near vertical structure of mesh or bars. The height of any fence is the height above the adjacent water level, ground level, roof of a building, tree or other structure on the inside of the fence.

A roof A cover made of solid wood, metal, metal bars, mesh, or similar materials over the top of an enclosure.

A wall A vertical or near vertical solid structure of brick, concrete, metal, rock or similar materials. The height of any wall is the height above the adjacent water level, ground level, roof of a building, tree or other structure on the inside of the wall. It may or may not form part of a wet or dry moat.

A wet moat Any expanse of water which forms an effective obstacle or deterrent which may restrict access to a wall or fence.

A dry moat A depression to provide directional guidance or an effective obstacle or deterrent which may restrict access to a wall or fence.

A window A window of any kind may form part of an animal barrier providing it achieves the same standard of containment of the animal within the enclosure.

(6) "Zoo" means an establishment where wild animals, as defined by Section 21 of the Zoo Licencing Act 1981 and other animals whether or not normally domesticated in Great Britain, are kept for exhibition to the public, otherwise than for the purpose of a circus or pet shop.

(7) "Zoo operator" means any person responsible for the operation or management of a zoo.

(8) Other words and expressions used which are also used in the Health and Safety at Work etc Act 1974 have the same meaning as in that Act.

* Dangerous Wild Animals Act 1976 (Modification) Order SI 1984 1111 ISBN 0 11 047111 3.
(Reproduced at Table 1).

Premises

12 Those buildings, structures and areas to which it is necessary for persons at work to have access should be designed, constructed and maintained in such a way that they offer no danger to a person in, on, or in the vicinity of them. Access to upper or lower areas should be by permanent stairways or ladders with suitable handrails and hand-holds except that, where access is needed only occasionally, a suitable portable ladder or scaffolding may be used, provided proper care in its use is exercised. The surface of all floors on which an employee may work should be free-draining and have a slip-resistant surface. All areas where persons work or pass should be adequately lit, either by natural or artificial means.

13 Where permanent provisions make access possible to a surface from which a person at work is at risk of falling from an open edge, it should be suitably guarded or fenced to prevent injury from whatever cause.

14 All plant and equipment should be installed, operated and maintained in such a way that it does not present a hazard to persons at work. Electrical apparatus should be suitable for its purpose, incorporate adequate mechanical protection and be sited in such a position that animals cannot reach the controls and electric supply systems, except where the latter is electric fencing intended to form an animal barrier. Where it is practicable to do so all plant, equipment and associated controls should be sited outside any animal enclosure.

15 The boundary of every zoo should be defined by an animal barrier. This may enclose a greater area than the actual zoo, but should not include any land or building outside the direct control of the zoo operator. The type of barrier necessary will depend on circumstances, but for zoos containing hazardous animals it should provide a substantial physical barrier, and be capable of deterring or delaying an animal's escape. Perimeter barriers should not include any electrified section less than 2 metres from the ground and any electrified section of fence must carry an adequate number of safety signs to be in accordance with British Standard BS 5378* and, where appropriate, Safety Signs Regulations 1980†, giving warning of the hazard either by symbol or a combination of symbol and words, facing both outwards and inwards (see para 26).

16 The construction of the perimeter animal barrier may be determined by local considerations and need not be of uniform construction for its entire length. It should, where hazardous animals are to be confined, take into consideration the height and specification in paras 23—34.

17 There should be an adequate number of exits from the zoo, although some may be for use in emergencies only. The size and number of exits should be determined with regard to the size of the zoo and the number of persons at work, and others who may need to leave quickly in an emergency. Exit gates should be clearly signposted and marked "Exit", and be capable of being easily opened from inside to allow the release of persons from the zoo. All such gates should be capable of being closed and secured to prohibit the escape of animals.

18 Gates should provide protection at least to the same standard as the remainder of the perimeter animal barrier. Where a gate is lower than the barrier, additional fencing etc, should be provided above the gateway to achieve a similar height to that of the perimeter animal barrier.

* BS 5378: Part 1 1980

Safety signs and colours; specification for colour and design.

BS 5378: Part 2 1980

Safety signs and colours; specification for colorimetric and photometric properties of materials.

BS 5378: Part 3 1982

Safety signs and colours; specification for additional signs to those given in BS 5378: Part 1. These are available from: British Standards Institution, Linford Wood, Milton Keynes MK14 6LE.

† Safety Signs Regulations 1980 (SI 1980/1471) HMSO ISBN 0 11 007471 8.

Barrier gates

19 Gates which are normally mechanically operated should have an alternative method of control whereby they can be opened and closed manually by authorised persons at work in the event of an interruption of the power supply. Mechanically operated gates should also be designed to close or be closed, without risk to the authorised person in the event of a power failure.

20 The person authorised to operate the gates should have a safe means of access and egress to and from his operating position, which should ensure a clear view of the barrier gates and the area immediately surrounding them. There should be no bushes, trees, buildings or other obstacles which would make it difficult for a person controlling a gate to see any hazardous animal within, where practicable, 50 metres of the gate.

Drive-through exhibits

21 In all cases where lions, tigers, cheetah, bears and primates are kept in a drive-through exhibit, entry and exit to the enclosure should be through a system of double gates, with sufficient space between to allow the gates to be securely closed to the front and rear of any vehicle which may need to enter the enclosure. The size of this space will depend on the type of vehicle expected, but consideration should be given to the possibility of access by tractors and towed trailers, livestock transport vehicles, fire engines, coaches and breakdown vehicles. Gates should be designed and maintained so that one gate cannot be opened until the other has securely closed. For most other hazardous animals, single gates which are supervised at all times should be provided. In the case of jumping or fast-moving animals, the gates should be protected by fencing positioned at right angles to the perimeter fence on each side of the roadway within the enclosure, and be to the same standard as that for the main enclosure barrier extending back from the gate for at least 25 metres. Access points between enclosures should be controlled to prevent animals entering adjoining enclosures and circumstances may allow supervised single gates or keeper posts adjoining the access to be adequate. Pressure pad systems which control the operation of gates by electrical circuits should be designed and installed to ensure that in the event of any system failure, any gate controlled will close automatically. Where these systems are used, such additional precautions as may be necessary should be taken to ensure that animals are safely secured within their enclosure.

22 A cattle grid may be sufficient to control some grazing and hoofed animals in a drive-through exhibit, but an additional barrier or gate should be provided to allow safe access and egress by persons at work.

Enclosure barriers for hazardous animals

General requirements

23 The standards can vary considerably according to the species and age of animal concerned and should be adopted whether an animal is in its normal or temporary enclosure, unless an equally effective alternative is provided. The main considerations, however, are to contain the animal, including any part of it, within the desired area and to ensure, so far as is reasonably practicable, that contact between persons at work and animals likely to cause injury is not possible (see paras 39—41).

24 All enclosure barriers should be designed, constructed and maintained in order to prevent the animal breaking out in foreseeable circumstances, and be free from vegetation or other objects which would aid the animal's escape. Where fencing material is used it should be suitably secured to any supporting post etc in such a way that the weight of the animal concerned would not detach the material from the support. Materials used in the construction of any enclosure, moat or moat wall, should be to a quality and specification suitable for that particular purpose. Where British Standards apply, these should be observed.

25 Where glass is used as a wall material, its specification and method of fixing should be sufficient to contain the animal to be enclosed.

26 Safety warning signs must be displayed on an electrified fence. Any safety sign combining geometrical shape, colour and pictorial symbol to provide health or safety information should be in accordance with BS 5378, and where appropriate be in compliance with the Safety Signs Regulations 1980 (see para 15).

27 The height of fences and walls for unroofed enclosures should be adequate for containing the particular species. Examples are given at Table 2, but see Notes at page 10.

28 Any animal, except one which can fly or is undergoing quarantine, may be kept in an enclosure bounded by a moat with combined fence or wall. The moat may be either wet or dry. The height of the exposed enclosure barrier above the surface of the water or floor on the outer edge of the enclosure should be sufficient to contain the particular species within its enclosure. Examples are given at Table 3, but see Notes at page 10.

29 The depth and width of any moat, which must be sufficient to contain the particular species, will depend on the type of animal and the difference in height between the enclosure floor adjacent to the moat and the top of the wall at the outer edge of the moat. Examples are given at Table 3, where the floor is at, or below, the top of the wall at the moat outer edge. Where the enclosure floor is above this level, the moat would need to be wider, and in some circumstances considerably wider. All moats should be surrounded by a barrier, such as a wall or hedge sufficient to prevent persons at work falling in. See also para 31. At times of low temperatures, when a wet moat is liable to lose its effectiveness by freezing over, some alternative method of containing the animals should be available.

30 The siting of buildings, other structures and trees within an enclosure should be sufficiently remote from the enclosure barrier to prevent their use by an animal to escape from its enclosure.

Additional specific requirements for certain categories of animals

Climbing or jumping animals

31 All climbing or jumping hazardous animals should be kept in an enclosure surrounded by a suitable wet moat, or completely fenced (or walled) and roofed, or with a fence (or wall) constructed in such a manner that the animal is unable to jump over or climb up and over the top of the fence or wall. The latter may be achieved, depending on the animal concerned, by having a smooth and unbroken inner surface to a wall; by having an inward facing overhang at the top of the fence or wall designed to contain the enclosed animal; by electrifying part or all of the fence, or by a fence consisting of vertical bars with a minimal number of horizontal bracing bars. Where the combination of a moat and wall or fence of reduced height is used to confine climbing and jumping animals so as to improve the visitor's observation, consideration must be given to the breed, size and agility of the animal. In these circumstances the moat should be of adequate depth and be treated as a deterrent only, and confinement should be by a suitable wall or fence of adequate height. Walls must have a smooth surface which animals cannot climb and fences should be of a type and construction which animals cannot climb over. (See also paras 28—29).

Digging or burrowing animals

32 The enclosure for any digging or burrowing hazardous animal should have either an entirely concreted or metal mesh floor or the fence/wall should extend 1 metre below ground level with a further 1 metre horizontal inward extension of galvanised metal mesh or concrete.

Venomous reptiles and invertebrates

33 Venomous reptiles and invertebrates should be kept in solid roofed and walled enclosures (with suitable means of ventilation) or in an enclosure where the walls are of adequate height and designed to contain them. A pit must be surrounded by a stand-off fence.

Others

34 Every fence for other hazardous animals should be embedded in the ground unless it is suitably secured close to the ground, eg for lions or tigers, by tensioned horizontal wire within 75 mm of ground level and with a concrete kerb not more than 50 mm from the outside of the fence secure in the ground and reaching at least 200 mm above ground level.

Access provisions for animal enclosures

35 All enclosures should have a means of access by which authorised zoo staff can enter the enclosure. It must prevent egress of the animal other than when controlled by the staff, and be designed to prevent access by unauthorised persons.

36 All gates/doors to an enclosure containing a hazardous animal should be securely locked when closed. Locks should be capable of being unfastened from either side of the gate/door to remove the risk of a person being locked in.

37 Zoo operators should ensure, so far as is reasonably practicable, that any hazardous animal can be confined both in and out of its main enclosure, as desired. Normally, sleeping and/or winter quarters will lead off the main viewing enclosure, and a secure dividing door between the two should be available to confine the animal when access by staff to either section is necessary. The door should be designed and maintained so that it can be safely operated and secured in position as and when the staff so require, without interference by the animal. In particular the control mechanism should be situated in an area to which the animal, either in total or in any part (eg paws or claws), cannot reach the person operating the controls.

38 All gates/doors to the enclosure should be at least as strong, and be as effective in containing the animals as the enclosure barrier. They should be designed and maintained so as to prevent the animal lifting the gate/door off its hinges, or unfastening the securing device, and where they are a lesser height than the minimum appropriate barrier height, the barrier should be continued above the gate or door to that height.

Systems of work

39 Zoo operators have a responsibility to devise safe systems of work for all their employees, and this is important where hazardous animals are involved. Operators should ensure, so far as is reasonably practicable, that no person is permitted to enter an enclosure containing any hazardous animal except where:

- (a) the animal is so young or it is recognised that the species presents no risk of serious injury and the entry presents no risk from any other animal; or
- (b) it is anaesthetised by an authorised person; or
- (c) it has been rendered harmless by immobilisation; or
- (d) the animal has been previously made safe; or
- (e) protection is ensured by a vehicle which prohibits contact between its occupants and any animal.

40 Every hazardous animal should be secured in an enclosure, in such a way that an employee may carry out all his duties safely, without the risk of injury from the animal. This applies equally whether the employee is at work in the animal's enclosure, or outside either adjoining or near to it.

41 Where any work could potentially have such serious consequences if an agreed safe system of work failed, a "Permit to Work" system should be instituted.

A permit to work is essentially a document which sets out the work to be done and the precautions to be taken. This would ensure that safe procedures have been predetermined, and so far as is reasonably practicable, all foreseeable hazards have been considered in advance. A clear record should be made, to ensure that persons at work in a permit to work situation are made aware of the precautions which are defined and the correct sequence in which they should be taken. It does not in itself make the job safe, but is dependent for its effectiveness on the persons carrying it out conscientiously. Contractors who may be engaged to carry out specific tasks should be included in any permit to work system. Typical instances where this needs to be considered may include:

- (a) where work involves people entering an enclosure other than the normal keeper or a person acquainted with the particular breed of animal and its behaviour;
- (b) where maintenance work on or adjacent to an animal barrier of the enclosure of a hazardous animal is to be carried out;
- (c) work activities which could affect the health and safety of all persons within the zoo, eg the use of guns, or plant within, or the application of pesticides to areas of the zoo, to which any person has access.

Where these and similar risks exist, the activity should be controlled by a "Permit to Work" system.

Escape of animals from their enclosures

Normal procedures

42 Every effort should be made to ensure that animals do not escape from their allocated enclosure by regular inspection and maintenance of fences, gates, walls, roofs, etc, as appropriate, and by careful attention to detail, eg double checks to ascertain that gates have been securely closed after use. Zoo operators should assess the dangers which may arise in the event of an animal escaping from its enclosure. Where animals contained in a zoo fall within the definition of hazardous animal, written emergency procedures should be prepared to cover the safe recovery, dead or alive, of the escaped animal.

Emergency procedures

43 The procedures to be adopted in the event of an escape should be described in a written document which should be brought to the attention of, and be available to, all members of staff. The procedures may vary from one zoo to another but should include the following matters:

- (a) the immediate reporting of every escape to the most senior member of staff available;
- (b) the planned response to an escape covering all varying situations such as whether daytime staff are on duty, whether visitors are present and whether more than 1 animal has escaped;
- (c) the responsibilities of the members of staff in the event of an escape, eg recapturing the animal, protecting employee and visitors, alerting the police. A member of staff authorised to take decisions regarding the use of a firearm should always be available;
- (d) the protection of employees and visitors, by removing them from the animal and any consequential activity or risk. This may include ushering them into buildings and closing the doors and windows, or getting them quickly outside the zoo and reassuring them;
- (e) the security of the perimeter barrier, including the closure of all gates;
- (f) the provision of a firearm with which to kill or tranquillise the escaped animal. Precise details must, however, be discussed and agreed by the zoo operator and local police. If a firearm is provided, it should be kept available for immediate use by a trained operator. The operator(s) should

undergo periodic training and practice. The firearm itself should be cleaned and maintained as recommended by the manufacturer and, together with ammunition, kept securely under lock and key when not in use or under maintenance;

- (g) the provision of adequate equipment for members of any recapture party. This may include a vehicle both to carry any necessary equipment (eg nets) and to provide a measure of protection for the recapture party;
- (h) the provision of a firearm and ammunition, and a suitably trained and licensed employee in each drive-through exhibit containing hazardous animals.

44 Zoo operators should ensure that all members of staff are familiar with the procedures. Emergency practice drills should be carried out at least 4 times per year and a record kept.

Instruction, training, supervision

45 Zoo operators should adopt a planned management approach to training and supervision of employees. A copy of the zoo operator's Safety Policy should be made available and explained (see Guidance Notes paras 4—12). Instruction should include both explanation of, and opportunity to discuss, legal requirements, individual responsibilities, emergency procedures, reporting and monitoring arrangements, use of plant, and information on hazardous animals and substances together with correct safety procedures. When there is a risk to health from animal transmissible infections, employees should be informed of the correct prophylactic treatment necessary (see paras 48—53).

46 Training should include a systematic development of the attitude, knowledge, skill and behaviour pattern required by an individual in order to perform adequately and safely a given task. Training should be concentrated on safe systems of work. It should be emphasised that safety in dealing with an animal or doing a job is more important than speed and efficiency in its completion. Comprehensive instruction and training should be given on emergency procedures including the method of notification, use of any plant (eg nets, firearms, etc) and protection of visitors. No person should be required to work with animals unless he has received adequate training for the particular activity, is acquainted with the species of animal, safe systems of work, handling facilities and emergency procedures. Refresher training should be given as necessary or when requested.

47 Employees must be supervised. The degree of supervision will depend on the character of the individual employee, the level of training he has previously received and the potential danger of the particular job. It is the responsibility of the zoo operator to ensure that adequate training and supervision is provided, with special emphasis given to the less experienced. New employees should be subject to strict supervision until the zoo operator is satisfied that a lower level of supervision is sufficient.

Health and welfare

48 Most animals acquired by zoos come from collections rather than from the wild, and there is now less risk of endemic diseases being introduced from abroad and infecting persons working at or visiting the zoo. Nevertheless, the zoo operator should be aware of the possibility of infections originating from the animals and, in particular, every member of staff should be advised that, if ever he needs to consult a doctor, he should inform him of his occupational contact with zoo animals so that this will not be overlooked when attempting to diagnose an illness (eg early symptoms of Weil's Disease resemble influenza). The Employment Medical Advisory Service is able to assist with information on occupational health risks; advice on infections and their control may be obtained from Medical Officers of Environmental Health.

49 The desirability of prophylactic procedures, eg inoculation against tetanus, should be discussed with the appropriate medical practitioner.

50 Parasites of zoo animals are a continual risk, although probably no more so than with domestic and farm animals. To reduce the risk of human infestation, the need for good hygiene should be stressed to persons involved with all aspects of animal keeping and where appropriate, provision should be made for disinfection.

51 Adequate washing and sanitary facilities* should be available to all employees. Personal hygiene should be of a high standard because animals may carry organisms likely to cause disease (eg salmonella from reptiles).

52 Zoo operators are required by the Health and Safety (First-Aid) Regulations 1981† to make, or ensure that there is made, adequate and appropriate first-aid provision for their employees. Guidance on meeting the requirements of the Regulations is set out in an Approved Code of Practice and Guidance Notes. All three documents are contained in the HSE booklet "First-Aid at Work", HS(R)11‡.

53 Where any venomous animal is kept at a zoo, the zoo operator should make arrangements for adequate emergency treatment facilities, including relevant antiserum, to be continually available.

Veterinary procedures

Radiation hazards

54 In those zoos in which x-ray equipment is available the zoo operator should ensure that it is used only by persons nominated for such work. When any radiography work is performed by a person not employed by the zoo, that person will bear a primary responsibility for ensuring its safe use and for co-operating with the zoo operator so that he may be aware of potential hazards. In this way, the zoo operator will be able to meet his responsibilities towards those of his employees who might be involved in the use of the equipment or in assistance at radiographic procedures. Such responsibilities will always include the proper instructions of zoo staff and only in rare cases would extend to monitoring and keeping of records of radiation exposure of the workers involved.

Drugs etc

55 All drugs, vaccines and other veterinary products should be safely stored under lock and key so that they are not accessible to unauthorised members of staff.

56 Only persons nominated shall be permitted to administer drugs etc, and only they and persons under their close supervision should have access to these products at any time.

57 Control is essential in the use of drugs - not only due to the possibility of injury caused by sharp instruments such as hypodermic needles, but also because some products can be fatal to man in the dose which would be administered to a large animal. Used syringes and needles should be disposed of by placing in a clearly marked rigid container with a close-fitting lid and should preferably be incinerated after use. At no time should they be left in any place where non-authorised staff could reach them.

58 Zoo management should seek agreement with the local medical services regarding the desirability of either the zoo, or a hospital, holding supplies of antidotes to the more potentially toxic veterinary products used at the zoo. These arrangements should be reviewed from time to time bearing in mind any changes in the products available for use.

59 When any animal has died, care should be taken in handling the body. Disposal of remains and post-mortem examination should follow safe procedures and the body should be handled and disposed of, so that no risk to health exists or is created.

* Advice on suitable Washing and Sanitary facilities is given in the Guidance Notes at paragraphs 13—17.

† The Health and Safety (First-Aid) Regulations 1981. SI 1981/917 HMSO ISBN 0 11 016917 4.

‡ HSE - First-Aid at Work (HS(R)11) HMSO ISBN 0 11 883446 0.

Notes to tables

These tables do not form part of this code and therefore do not have the status of an approved code of practice

Table 2 and Table 3 are examples of fence, moat and wall dimensions which will be appropriate to most enclosures.

Table 1	The Dangerous Wild Animals Act 1976 (Modification) Order SI 1984 1111.
Table 2	Practical guidance and examples of standards of fencing for unroofed enclosures which are considered to be reasonable for containing various species. Consideration has been given to size (age) of some species, but in particular situations these recommended standards may need to be increased.
Table 3	Examples of the depth and width of moats which can be seen as a means of deterrent. If used to assist the confinement of animals there will be a need to provide a suitable wall or fence of adequate height and strength.

The Dangerous Wild Animals Act 1976 (Modification) Order 1974 SI 1984 1111

Table 1

(See paragraph 11(3) of the Code of Practice)

Schedule Kinds of dangerous animals

Note the second column of this Schedule is included by way of explanation only; in the event of any dispute of proceedings, only the first column is to be taken into account.)

Mammals

<i>Scientific name of kind</i>	<i>Common name or names</i>
<i>Marsupials</i>	
Dasyuridae of the species <i>Sarcophilus harrisi</i>	The Tasmanian devil
Macropodidae of the species <i>Macropus fuliginosus</i> , <i>Macropus giganteus</i> , <i>Macropus robustus</i> and <i>Macropus rufus</i>	Grey kangaroos, the euro, the wallaroo and the red kangaroo
<i>Primates</i>	
Callitrichidae of the species of the genera <i>Leontopithecus</i> and <i>Saguinus</i>	Tamarins
Cebidae	New-world monkeys, (including capuchin, howler, saki, spider, squirrel, titi, uakari and woolly monkeys and the night monkey (otherwise known as the douroucoulis))
Cercopithecidae	Old-world monkeys (including baboons, the drill, colobus monkeys, the gelada, guenons, langurs, leaf monkeys, macaques, the mandrill, mangabays, the patas and proboscis monkeys and the talapoin)
Indriidae	Leaping lemurs (including the indri, sifakas and the woolly lemur)
Lemuridae except the species of the genus <i>Haplemur</i>	Large lemurs (the broad-nosed gentle lemur and the grey gentle lemur are excepted)
Pongidae	Anthropoid apes (including chimpanzees, gibbons, the gorilla and the orang-utan)
<i>Edentates</i>	
Bradypodidae	Sloths
Dasypodidae of the species <i>Priodontes giganteus</i> (otherwise known as <i>Priodontes maximus</i>)	The giant armadillo
Myrmecophagidae of the species <i>Myrmecophaga tridactyla</i>	The giant anteater

Table 1 (contd)

<i>Scientific name of kind</i>	<i>Common name or names</i>
<i>Rodents</i>	
Erithizontidae of the species <i>Erithizon dorsatum</i>	The North American porcupine
Hydrochoeridae	The capybara
Hystriidae of the species of the genus <i>Hystrix</i>	Crested porcupines
<i>Carnivores</i>	
Ailuropodidae (Ailuridae)	The giant panda and the red panda
Canidae except the species of the genera <i>Alopec, Dusicyon, Otocyon, Nyctereutes</i> and <i>Vulpes</i> and the species <i>Canis familiaris</i>	Jackals, wild dogs, wolves and the coyote (foxes, the racoon-dog and the domestic dog are excepted)
Felidae except the species <i>Felis catus</i>	The bobcat, caracal, cheetah, jaguar, lion, lynx, ocelot, puma, serval, tiger and all other cats (the domestic cat is excepted)
Hyaenidae except the species <i>Proteles</i> <i>cristatus</i>	Hyaenas (except the aardwolf)
Mustelidae of the species of the genera <i>Arctonyx, Aonyx, Enhydra, Lutra</i> (except <i>Lutra lutra</i>), <i>Melogale, Mydaus</i> , <i>Pteronura</i> and <i>Taxidea</i> and of the species <i>Eira barbara, Gulo gulo, Martes pennanti</i> and <i>Mellivora capensis</i>	Badgers (except the Eurasian badger), otters (except the European otter), and the tayra, wolverine, fisher and ratel (otherwise known as the honey badger)
Procyonidae	Cacomistles, raccoons, coatis, olingos, the little coatimundi and the kinkajou
<i>Ursidae</i>	
<i>Viverridae</i> of the species of the genus <i>Viverra</i> and of the species <i>Arctictis binturong</i> and <i>Cryptoprocta ferox</i>	Bears The African, large-spotted, Malay and large Indian civets, the binturong and the fossa
<i>Pinnipeds</i>	
<i>Odobenidae, Otariidae</i> and <i>Phocidae</i> except <i>Phoca vitulina</i> and <i>Halichoerus grypus</i>	The walrus, eared seals, sealions and earless seals (the common and grey seals are excepted)
<i>Elephants</i>	
<i>Elephantidae</i>	Elephants
<i>Odd-toed ungulates</i>	
<i>Equidae</i> , except the species <i>Equus asinus</i> , <i>Equus caballus</i> and <i>Equus asinus</i> x <i>Equus caballus</i>	Asses, horses and zebras (the donkey, domestic horse and domestic hybrids are excepted)
<i>Rhinocerotidae</i>	Rhinoceroses
<i>Tapiridae</i>	Tapirs
<i>Hyraxes</i>	
<i>Procaviidae</i>	Tree and rock hyraxes (otherwise known as dassies)
<i>Aardvark</i>	
<i>Orycteropidae</i>	The aardvark
<i>Even-toed ungulates</i>	
<i>Antilocapridae</i>	The Pronghorn
Bovidae except any domestic form of the genera <i>Bos</i> and <i>Bubalus</i> , of the species <i>Capra aegagrus (hircus)</i> and the species <i>Ovis</i> <i>aries</i>	Antelopes, bison, buffalo, cattle, gazelles, goats and sheep, (domestic cattle, goats and sheep are excepted)

Table 1 (contd)

<i>Scientific name of kind</i>	<i>Common name or names</i>
Camelidae except the species <i>Lama glama</i> and <i>Lama pacos</i>	Camels, the guanaco and the vicugna (the domestic llama and alpaca are excepted)
Cervidae of the species <i>Alces alces</i> , and <i>Rangifer tarandus</i> , except any domestic form of the species <i>Rangifer tarandus</i>	The moose or elk and the caribou or reindeer (the domestic reindeer is excepted)
Giraffidae	The giraffe and the okapi
Hippopotamidae	The hippopotamus and the pygmy hippopotamus
Suidae, except any domestic form of the species <i>Sus scrofa</i>	Old-world pigs (including the wild boar and the wart hog) (the domestic pig is excepted)
Tayassuidae	New-world pigs (otherwise known as peccaries)
Any hybrid of a kind of animal specified in the foregoing provisions of this column where one parent is, or both parents are, of a kind so specified	Mammalian hybrids with a parent (or parents) of a specified kind
Birds	
<i>Cassowaries and emu</i>	
Casuaridae	Cassowaries
Dromiidae	The emu
<i>Ostrich</i>	
Struthionidae	The ostrich
Reptiles	
<i>Crocodillians</i>	
Alligatoridae	Alligators and caimans
Crocodylidae	Crocodiles and the false gharial
Gavialidae	The gharial (otherwise known as the gavial)
<i>Lizards and snakes</i>	
Colubridae of the species of the genera <i>Atractaspis</i> , <i>Malpolon</i> , <i>Psammophis</i> and <i>Thelornis</i> and of the species <i>Boiga dendrophila</i> , <i>Dispholidus typus</i> , <i>Rhabdophis subminiatus</i> and <i>Rhabdophis tigrinus</i>	Mole vipers and certain rear-fanged venomous snakes (including the moila and montpellier snakes, sand snakes, twig snakes, the mangrove (otherwise known as the yellow-ringed catsnake) the boomslang, the red-necked keelback and the yamakagashi (otherwise known as the Japanese tiger-snake))
Elapidae	Certain front-fanged venomous snakes (including cobras, coral snakes, the desert black snake, kraits, mambas, sea snakes and all Australian poisonous snakes (including the death adders))
Helodermatidae	The gila monster and the (Mexican) beaded lizard
Viperidae	Certain front-fanged venomous snakes (including adders, the barba amarilla, the bushmaster, the copperhead, the fer-de-lance, moccasins, rattlesnakes and vipers)
Invertebrates	
<i>Spiders</i>	
Ctenidae of the species of the genus <i>Phoneutria</i>	Wandering spiders
Dipluridae of the species of the genus <i>Atrax</i>	The Sydney funnel-web spider and its close relatives
Lycosidae of the species <i>Lycosa raptoria</i>	The Brazilian wolf spider
Sicariidae of the species of the genus <i>Loxosceles</i>	Brown recluse spiders (otherwise known as the violin spiders)
Theridiidae of the species of the genus <i>Latrodectus</i>	The black widow spider (otherwise known as the redback spider) and its close relatives
<i>Scorpions</i>	
Buthidae	Buthid scorpions

Explanatory note *(This note is not part of the Order.)*

This Order modifies the Schedule to the Dangerous Wild Animals Act 1976 ('the 1976 Act'), which specifies the kinds of animals to which the provisions of the 1976 Act apply, by substituting a new Schedule. The modifications effected by this order represent the outcome of a further review of the Schedule to the 1976 Act, as modified by SI 1981/1173.

This Order excludes the raccoon-dog from the scope of the 1976 Act. It also extends the scope of the 1976 Act by modifying the Schedule to that Act to add new kinds of animals including new-world monkeys (except marmoset) and certain mustelids, snakes, spiders, scorpions and hybrids. A list of the additional kinds of dangerous wild animals included in the 1976 Act by this Order is obtainable from the Wildlife Division, Department of the Environment, Tollgate House, Bristol BS2 9DJ.

Examples of the appropriate dimensions of fencing for unroofed enclosures considered reasonable for containing mature animals of various species with or without a wet moat. These are not absolute and in some situations or for a particular animal within the species, different standards may apply

Table 2

(See paragraph 27 of the Code of Practice)

All heights are measured from an adjacent ground level to which the animal has access. A mesh fence as stated in column 3 may be used as an alternative to a vertical wall, where one is shown, and where a bar fence is quoted the bar spacing should be no greater than the dimensions of the mesh.

<i>Scientific name of kind</i>	<i>Height of smooth vertical walls & vertical bar type fences with bar diameter</i>	<i>Height & specification of mesh fence</i>
Canidae	2.5 m (10 mm)	2.5 m fence of 3 mm wire mesh of 50 mm x 50 mm spacing with internal overhang at about 35° above horizontal. 0.5 metres deep.
Casuariidae	2 m	2 m
Cercopithecidae		
(1) small	3 m (10 mm)	3 m fence of 3 mm wire mesh of 135 mm x 55 mm spacing with at least 3 strands of horizontal electrified wire near the top of the fence and an inward facing overhang at about 35°, 1 metre deep of non-mesh bars.
(2) large	3 m (10 mm)	3 m fence of 3 mm wire mesh of 135 mm x 65 mm spacing with at least 3 strands of horizontal electrified wire near the top of the fence and an inward facing overhang at about 35°, 1 metre deep of non-mesh bars.
(3) baboons	4 m (15 mm)	4 m fence of 5 mm wire mesh of 130 mm x 55 mm spacing with at least 3 strands of horizontal electrified wire near the top of the fence and an inward facing overhang at about 35°, 1 metre deep of non-mesh bars.
Crocodylidae	2 m (15 mm)	
Dromaiidae	2 m	2 m
Felidae		
(1) Lions and tigers	5 m (15 mm)	5 m fence of 5 mm wire mesh of 100 mm x 100 mm spacing with an inward facing overhang of approximately 35° above the horizontal of 1 m of similar mesh.
(2) Lynx and larger	4.5 m (10 mm)	3.5 m fence of 5 mm wire mesh of 100 mm x 100 mm spacing with an inward facing overhang of approximately 35° above the horizontal of 1 m of similar wire.
(3) others	4.5 m (10 mm)	Mesh should not be used unless the enclosure is roofed.
Helodermatidae	1.5 m	
Rhinocerotidae	2 m	2 m
Struthionidae	2 m	2 m
Ursidae		
(1) Polar, Brown, Asian, and American Black Bears	5 m	
(2) others	4 m	

Note:

Hylobates Should only be housed in a fully roofed enclosure, where wire mesh is used for hylobates, it should be 5 mm wire of 130 mm x 55 mm spacing and for leopards it should be 5 mm wire of 100 mm x 100 mm spacing.

Leopard

Pongo Should only be confined by a moat (see Table 3) or a fully roofed enclosure, where wire mesh is used it should be not less than 5 mm wire of 100 mm x 40 mm spacing.

Examples of appropriate dimensions of moats and moat walls

Table 3

(See paragraph 28 of the Code of Practice)

<i>Scientific name of kind</i>	<i>Exposed height above water of wall adjoining moat</i>	<i>Moat width</i>
Canidae		
Wolf, Hunting dog,	2.5 m	3.5 m
Jackal, Dingo,	1.5 m	2.5 m
Foxes	1.0 m	2.0 m
Casuaridae	2 m	3 m
Cercopithecidae	3 m	4.5 m
(Baboons)	4 m	
Crocodylidae	1.5 m	3 m
Dromaiidae	2 m	2 m
Felidae		
(1) Lions and tigers	4.5 m	7 m
(2) Lynx and larger	4.5 m	5 m
(3) others	5 m	5 m
Helodermatidae	1.5 m	3 m
Pongidae*	2 m*	4.5 m*
Rhinocerotidae	2 m	2 m
Struthionidae	2 m	2 m
Ursidae		
(1) Polar, Brown, Asian, Kamchatka and American Black Bears	5 m	5 m
(2) others	4 m	4 m

* In addition, the wall height below water to be 1.5 m

Guidance notes on aspects of Section 2 of the Health and Safety at Work etc Act 1974, and extracts from the Act

Introduction

1 These notes give guidance on section 2(3) of the Health and Safety at Work etc Act 1974 dealing with safety policy statements, and on section 2(1) dealing with welfare facilities. The notes are not part of the Approved Code of Practice and accordingly will not have the evidential status of the Code. Although based on legal requirements, the Guidance Notes are not intended to be an authoritative interpretation of the law, as such interpretation can only be made by the courts.

2 For convenience, the whole of sections 2,3,4 and 7 of the 1974 Act are reproduced at the appendix.

3 This guidance is issued as a supplement to the Approved Code. The Health and Safety Executive (HSE) will from time to time review the advice given here in the light of developments, technique, increased awareness of hazards or where a need exists to provide a necessary update, information, guidance etc on safety, health and welfare standards to the industry, and will issue this information in revised Guidance Notes.

Safety policy statements

4 The legal requirement for a written safety policy statement is at Section 2(3) of the HSW Act which states "Except in such cases as may be prescribed, it shall be the duty of every employer to prepare and as often as may be appropriate revise a written statement of his general policy with respect to the health and safety at work of his employees, and of the organisation and arrangements for the time being in force for carrying out that policy, and to bring the statement and any revision of it to the notice of all his employees".

5 The only exception to this requirement is contained in the Employers' Health and Safety Policy Statements (Exception) Regulations 1975* which exempts from the provision of Section 2(3) any employer who carries on an undertaking in which for the time being he employs less than 5 employees (including part time, casual and self employed workers) but only in respect of that particular undertaking.

6 The written safety policy statement does not have to be in any particular form, but it must contain 3 elements:

- (a) the statement of the zoo operator (employers) general policy with regard to health and safety;
- (b) the organisation for carrying out the policy;
- (c) the arrangements for carrying out the policy.

7 The statement should cover the intent to comply with current statutory provisions and should lay particular emphasis on safe work routines involving dangerous animals (as defined at para 11(3) of the Approved Code of Practice) and emergency procedures to be followed eg in the event of an animal escaping from its enclosure including both the usual and temporary enclosures. Other points such as the action to be taken in the event of a person being injured by a venomous animal should be clearly detailed. The responsibility of nominated staff for radiography work should be laid down or a reference there supported by local rules. Attention may be drawn to the Agricultural and Education and Science Departments booklet (Radiation Safety in Veterinary Practice) (Code of Practice for the Protection of Persons Exposed to Ionising Radiations from Veterinary Uses†)

* The Employers' Health and Safety Policy Statements (Exception) Regulations 1975. (SI 1975/1584) ISBN 0 11 051584 6.

† Leaflet UR35

available from: MAFF Publications Unit, Lion House, Willowburn Trading Estate, Alnwick, Northumberland.

and state that it is available for study by any members of staff who are nominated for radiography work. It may be desirable for the emergency procedures to be written as a separate document (with reference to it in the policy statement) to be exhibited at several locations.

8 The statement should clearly define the responsibilities of named senior and junior members of staff with regard to health and safety generally, and to emergency situations. Those named must have adequate authority to perform these responsibilities.

9 Copies of the statement including any revisions relevant to emergency procedures should be deposited with the local official bodies that may become involved in the event of an emergency (ie Health and Safety Executive, Local Authority, Police, Ambulance and Fire Services).

10 The general policy must be kept under review and the statement amended when necessary. The original statement and any subsequent amendments must be brought to the notice of all employees. Newly recruited employees should not be overlooked.

11 Each zoo operator must write his policy statement according to his own needs, as no one statement is suitable for all zoo operators. It must be emphasised that it is not the written word, but the implementation and application of the policy that prevents accidents. The effective safety policy is the one that is carried out, not simply the one that is written down.

12 Because of the potential risk, zoos with fewer than 5 employees are recommended to have written safety procedures, even though they are not required by law to have a written safety policy statement.

Washing facilities and sanitary conveniences

13 Section 2(1) of the Health and Safety at Work etc Act 1974 requires employers to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees. Under the Act one aspect of welfare is the provision of washing facilities and sanitary conveniences. Guidelines on meeting these obligations are given below.

14 Where male and female workers are employed one sanitary convenience is adequate providing the total employees do not exceed five. Where the workforce exceeds five, separate facilities for both sex should be provided in relation to the numbers of workers employed as follows:

<i>Numbers employed</i>	<i>Male facilities</i>	<i>Female facilities</i>	<i>Shared facilities</i>
<i>1— 5 total</i>			<i>1 WC</i>
<i>1—15 males</i>	<i>1 WC</i>		
<i>1—15 females</i>		<i>1 WC</i>	
<i>16—30 males</i>	<i>1 WC & 1 urinal or 2 WCs</i>		
<i>16—30 females</i>		<i>2 WCs</i>	
<i>For every additional 25 (or fewer) males</i>	<i>1 WC or 1 urinal providing that in total there are an equal or greater number of WCs than urinals</i>		
<i>For every additional 25 (or fewer) females</i>		<i>1 WC</i>	

15 Sanitary facilities must be under cover, partitioned off for privacy, have adequate lighting and have proper doors and fastenings. They must not communicate directly with a room or place in which people are working. Sanitary facilities must be maintained, kept clean, and have an adequate supply of paper. Where female facilities are provided, they should include suitable means for the disposal of sanitary dressings.

16 Wherever it is reasonably practicable to do so, water closets (WCs) or urinals, together with a water flushing system and a drainage system to a sewer or cesspool, should be provided. Where this is not practical a chemical or dry packaging toilet may be used instead.

17 The Building Regulations lay down standards of construction for drainage systems and sanitary conveniences and must be complied with.

Washing facilities

18 These should be provided in the following minimum numbers:

1 —15 workers	1 washbasin
16—50 workers	2 washbasins
For every additional 25 (or fewer) workers	1 washbasin

Washbasins must include clean running, hot (or warm) and cold water, soap (liquid, powder or solid) and drying facilities (continuous linen towels, disposable paper towels, automatic hot air dryer, etc). The facilities must be accessible to the workforce and must be kept in a clean and orderly condition.

Appendix

The full text of Sections 2,3,4 and 7 of the Health and Safety at Work etc Act 1974

General duties of employers to their employees

2-(1) It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.

(2) Without prejudice to the generality of an employer's duty under the preceding sub-section, the matters to which that duty extends include in particular —

- (a) the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health;
 - (b) arrangements for ensuring, so far as is reasonably practicable, safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;
 - (c) the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees;
 - (d) so far as is reasonably practicable as regards any place of work under the employer's control, the maintenance of it in a condition that is safe and without risks to health and the provision and maintenance of means of access to and egress from it that are safe and without such risks;
 - (e) the provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.
- (3) Except in such cases as may be prescribed, it shall be the duty of every employer to prepare and as often as may be appropriate revise a written statement of his general policy with respect to the health and safety at work of his employees and the organisation and arrangements for the time being in force for carrying out that policy, and to bring the statement and any revision of it to the notice of all his employees.

(4) Regulations* made by the Secretary of State may provide for the appointment in prescribed cases by recognised trade unions (within the meaning of the regulations) of safety representatives from amongst the employees, and those representatives shall represent the employees in consultations with the employers under sub-section (6) below and shall have such other functions as may be prescribed.

(5) Repealed.

(6) It shall be the duty of every employer to consult any such representatives with a view to the making and maintenance of arrangements which will enable him and his employees to co-operate effectively in promoting and developing measures to ensure the health and safety at work of employees, and in checking the effectiveness of such measures.

(7) In such cases as may be prescribed it shall be the duty of every employer, if requested to do so by the safety representatives mentioned in sub-section (4) above, to establish, in accordance with regulations made by the Secretary of State, a safety committee having the functions of keeping under review the measures taken to ensure the health and safety at work of his employees and such other functions as may be prescribed.

General duties of employers and self-employed to persons other than their employees

3-(1) It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

(2) It shall be the duty of every self-employed person to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that he and other persons (not being his employees) who may be affected thereby are not thereby exposed to risks to their health or safety.

(3) In such cases as may be prescribed, it shall be the duty of every employer and every self-employed person, in the prescribed circumstances and in the prescribed manner, to give to persons (not being his employees) who may be affected by the way in which he conducts his undertaking the prescribed information about such aspects of the way in which he conducts his undertaking as might affect their health or safety.

General duties of persons concerned with premises to persons other than their employees

4-(1) This section has the effect of imposing on persons duties in relation to those who -

(a) are not their employees: but

(b) use non-domestic premises made available to them as a place of work or as a place where they may use plant or substances provided for their use there, and applies to premises so made available and other non-domestic premises used in connection with them.

* Safety Representatives and Safety Committees Regulations 1977(SI 1977/500) HMSO ISBN 0 11 070500 9.

These Regulations, together with an Approved Code of Practice and Guidance Notes, are published in "Health and Safety at Work - Safety Representatives and Safety Committees". HSE, London, HMSO 1977 ISBN 0 11 880335 2.

(2) It shall be the duty of each person who has, to any extent, control of premises to which this section applies or of the means of access thereto or egress therefrom or of any plant or substance in such premises to take such measures as it is reasonable for a person in his position to take to ensure, so far as is reasonably practicable, that the premises, all means of access thereto or egress therefrom available for use by persons using the premises, and any plant or substance in the premises or, as the case may be, provided for use there, is or are safe and without risks to health.

(3) Where a person has, by virtue of any contract or tenancy, an obligation of any extent in relation to -

(a) the maintenance or repair of any premises to which this section applies or any means of access thereto or egress therefrom: or

(b) the safety of or absence of risks to health arising from plant or substances in any such premises:

that person shall be treated, for the purposes of sub-section (2) above, as being a person who has control of the matters to which his obligation extends.

(4) Any reference in this section to a person having control of any premises or matter is a reference to a person having control of the premises or matter in connection with the carrying on by him of a trade, business or other undertaking (whether for profit or not).

General duties of employees at work

7 It shall be the duty of every employee, while at work -

(a) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work: and

(b) as regards any duty or requirement imposed on his employer or any other person by or under any of the relevant statutory provisions, to co-operate with him so far as is necessary to enable that duty or requirement to be performed or complied with.